

SENATE BILL 863

By Kurita

AN ACT to amend Tennessee Code Annotated, Title 49,
Chapter 7, Part 20, relative to postsecondary
authorization.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-7-2007, is amended by adding the following language as new, appropriately designated subdivisions:

() Operate in this state a postsecondary educational institution not exempted from the provisions of this part, unless prior to a student signing an enrollment contract or agreement, the institution provides any prospective student with written information that clearly and explicitly sets forth the meaning of "transferability of credits". If the institution has an articulation agreement with another institution, the written information shall explicitly state the terms and limitations of such agreement. Such information shall advise the student that credits earned at the institution may not transfer to other postsecondary institutions and that if the student plans to transfer to another postsecondary institution in the future, then the student should check with the admissions office or registrar of any institution to which the student might transfer as to whether credits earned at the postsecondary institution at which the student is considering enrolling will transfer to other institutions before signing any enrollment contract or agreement. Such written information shall be in easily read type of not less than size fourteen (14) font. The student shall initial and date a copy of the written information to indicate that the student was given the information and instructed to read it.

() Operate in this state a postsecondary educational institution not exempted from the provisions of this part, unless all enrollment contracts or agreements of such

institution have printed in bold type and in no less than size fourteen (14) font on the first page of the contract or agreement the following statement:

Credits earned at [insert name of institution with which student is contracting] may not transfer to other schools. I have been given information by [insert name of institution with which student is contracting] about the transferability of credits. That information instructed me to check with other schools to which I may possibly transfer as to whether they would accept credits from [insert name of institution with which student is contracting]. This information was given to me on [insert date].

The contract shall contain initial and date lines on which the student shall initial and date the contract to indicate that the student read the above statement and was given sufficient time to investigate whether credits from such institution will transfer before signing the contract. Regionally accredited institutions may request a waiver of the provisions of this subsection from the executive director of the commission.

() Operate in this state a postsecondary educational institution not exempted from the provisions of this part, unless such institution annually provides to the commission the following demographic information:

(1) The total enrollment of the institution and the number of graduates.

(2) A listing of programs offered by the institution with the enrollment in each program and the number of graduates of each program for each location where the program is offered;

(3) Job placement data, including, but not limited to, the percentage of graduates obtaining jobs and the percentage of graduates with jobs in their fields of study. A student shall be included in the data reported for the fiscal year in

which the student graduated and for the following fiscal year. The fiscal year to be used for reporting shall be the fiscal year from July 1 to June 30;

(4) The number of students leaving a program prior to completion for each location where the program is offered;

(5) The percentage of the enrolled students who are Tennessee residents; and

(6) The number of students in various age brackets. The commission shall specify the age brackets to be used.

All required information shall be provided by total numbers and broken down by race and gender. The commission may require other demographic data as needed to evaluate postsecondary institutions operating in this state and the programs that they offer.

Liberal arts, professional or regionally accredited institutions of the type that have not historically reported vocational placement data may request a waiver from the requirements of this subsection from the executive director of the commission.

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 7, Part 20, is amended by adding the following language as new, appropriately designated sections:

Section 49-7-20__.

A postsecondary institution authorized to operate in this state under Section 49-7-2008 shall place in its catalog and on its website job placement data that provides at least the percentage of graduates obtaining jobs in their field of study in the fiscal year of graduation and the percentage of graduates with jobs in their field of study in the fiscal year after the fiscal year of graduation. The job placement data for each program shall be displayed prominently within the general information for that program. The job placement data shall be in easily read type of font size at least two (2) points larger than the type face for the program's general information.

§ 49-7-20__.

(a) A postsecondary institution authorized to operate in this state under Section 49-7-2008 shall place on the first page of any enrollment contract or agreement a statement as to whether the commission fully authorized the institution. This statement shall clearly and explicitly indicate that:

(1) The institution was granted full authorization to operate;

(2) The institution was granted temporary authorization to operate,
because the institution is in the first two (2) years of operation; or

(3) The institution was placed on punitive conditional authorization to
operate.

If the institution was placed on punitive conditional authorization to operate, the statement shall explicitly set forth the standards that the institution failed to meet and the conditions under which the executive director or the commission placed the institution on punitive conditional authorization. If the executive director or the commission placed an institution on punitive conditional authorization to operate with respect to a specific program offered by the institution, then the first page of any enrollment contract or agreement for enrollment in such program shall carry the information, as required above, for that program. All information concerning punitive conditional authorization shall be in bold type of font size that is at least two (2) points larger than the type face for the program's general information.

(b) The information required under subsection (a) shall also be posted on the institution's website and all information concerning punitive conditional authorization shall be in bold type of font size that is at least two (2) points larger than the type face of general information on the website.

SECTION 3. Tennessee Code Annotated, Section 49-7-2007, is amended by deleting subdivision (4) and substituting instead the following language:

(4)

(A) No postsecondary educational institution may use the word "university" in its name unless the school has been so approved by a regional accrediting body recognized by the United States department of education.

(B) No postsecondary education institution may use the word "college" in its name unless:

(i) The school has been approved by a regional accrediting body recognized by the United States department of education;

(ii) The institution was authorized to operate prior to October 1, 2006, and uses an appropriate qualifier along with the word "college"; or

(iii) The institution was authorized to operate on or after October 1, 2006, and uses an appropriate qualifier preceding the word "college".

(C) As used in this subdivision, "appropriate qualifier" means a term such as "career", "vocational", "business", "technical", "art", or other term approved by the commission, or in the case of a religious institution, "Bible" or a denominational term.

(D) The executive director of the commission may grant an exception for the use of the word "university" or the word "college" by an institution upon application by the institution, if the executive director finds that special or unique circumstances exist that should permit such use.

SECTION 4. Tennessee Code Annotated, Section 49-7-2003, is amended by adding the following language as new, appropriately designated subdivisions:

() "College" means:

(A) A unit of a university offering specialized degrees; or

(B) A postsecondary institution offering courses of study leading to traditional undergraduate degrees;

() "Traditional undergraduate and graduate degrees" include, but are not limited to, degrees such as associate of arts, associate of science, bachelor of arts, bachelor of business administration, bachelor of science, bachelor of fine arts, master of arts, master of science, master of fine arts, master of business administration, doctor of philosophy, doctor of psychology, and doctor of education;

() "University" means a postsecondary institution that provides facilities for teaching and research, offers traditional undergraduate and graduate degrees at the baccalaureate and higher levels, and is organized into largely independent colleges or schools offering undergraduate, graduate, or professional programs;

SECTION 5. Tennessee Code Annotated, Section 49-7-2007, is amended by deleting subdivision (5) and substituting instead the following language:

(5) Grant, or offer to grant, educational credentials, without authorization to do so from the commission. All degrees offered must be approved by name, designation and location by the commission. No institution may offer traditional degrees or professional degree designations unless previously approved by a regional accrediting body recognized by the United States department of education.

SECTION 6. Any information required by this act to be placed on a contract or agreement or posted on a website shall be so placed by August 1, 2007. Any information required to be placed in an institution's catalog shall be placed in the next catalog printed after the effective date of this act.

SECTION 7. This act shall take effect July 1, 2007, the public welfare requiring it.